

REMARKS

Claims 25-37 and 39-41 are all the claims pending in the application. By this Amendment, new claims 42 and 43 are added. For at least the reasons herein, Applicant respectfully requests withdrawal of the rejections, and allowance of the claims.

I. Formalities:

Applicant thanks the Examiner for providing an Form PTO-1449, for the reference submitted in the Information Disclosure Statement (IDS) filed June 12, 2003. However, the Examiner has not initialed this form. Accordingly, Applicant respectfully requests that the Examiner provide an initialed Form PTO-1449 in the next correspondence from the Patent Office.

Additionally, Applicant requests that the Examiner approve the drawing corrections made in the June 27, 2002 Proposed Drawing Correction submission.

II. Allowable Subject Matter:

The Examiner has allowed claims 25-29, 37 and 39-41. Applicant thanks the Examiner for indicating that the claims are allowed. Additionally, Applicant respectfully submits that claims 30-36 should be allowed for at least the reasons herein.

III. Claims 30-36 would not have been obvious

Claims 30-36 stand rejected under 35 U.S.C. § 103(a) over the Examiner's proposed combination of McCole (U.S. Patent No. 4,312,939) in view of newly applied Rutledge et al. (U.S. Patent No. 5,188,580). Applicant respectfully submits that the Examiner's proposed combination of references fails to teach or suggest all of the claimed combination of features, as required for a prima facie obviousness rejection. Accordingly, Applicant respectfully requests withdrawal of the rejection, and allowance of the claims.

An exemplary, non-limiting embodiment of the presently claimed invention directed to claims 30-36 includes a component supply station, a bonding station, and a cutting station. Additionally, there is at least one free loop disposed in a feed region required to position a continuous member formed by a mask and two sheets. This is illustrated in application Figure 10.

As acknowledged by the Examiner, McCole does not disclose at least one free loop disposed in a feed region required to position the continuous member. The Examiner also acknowledged that McCole does not disclose first feed means and second feed means, on either side of the free loop. Further, the Examiner acknowledges that McCole does not disclose feeding a continuous member a predetermined number of pitches at a time, with the second feed means based on the detected position area. Applicant respectfully submits that McCole also does not disclose a beveling station. Applicant believes that reference character 25 of McCole is a perimeter seal. However, there is no disclosure of beveling therein.

Rutledge discloses a plastic film bag manufacturing apparatus and film bag. However, Applicant respectfully submits that there is no disclosure in Rutledge about feeding a predetermined number of pitches at a time, based on a detected position area.

Applicant respectfully submits that the Examiner's proposed combination of references fails to properly teach or suggest all of the claimed combinations of features. For example, but not by way of limitation, Applicant respectfully submits that the proposed combination fails to teach or suggest at least one free loop disposed in a feed region required to position the continuous member, as recited in independent claim 30.

As acknowledged by the Examiner, McCole does not teach or suggest having various stations that operate at different speeds without affecting one another. To cure this acknowledged deficiency, the Examiner proposes to combine McCole and Rutledge. However, Applicant respectfully submits that the Examiner's proposed combination is improper, because one skilled in the art would not have been motivated to combine the references. McCole teaches operation without any free loop, such that it must be operated at a single speed. Rutledge teaches that there may be a free loop that does not change the tension on the rest of the system.

Applicant respectfully submits that one skilled in the art would not have been motivated to combine these references, in the absence of the specification supporting the presently claimed invention. Therefore, Applicant respectfully submits that the combination could only have been made with the hindsight of this specification. Because such motivation for combination is improper, Applicant respectfully submits that the proposed combination is improper, and thus requests withdrawal thereof.

Claims 31-36 depend from independent claim 30. Applicant respectfully submits that the dependent claims are allowable for at least the same reasons as discussed above with respect to the independent claim from which they depend. Additionally, Applicant respectfully submits that the proposed combination of references fails to teach or suggest a pitch interval, as recited in claim 31, or feeding the continuous member a predetermined number of pitches at a time, with the second feed means based on the detected position area, as recited in claim 33. Further, Applicant respectfully submits that the proposed combination fails to disclose or suggest the beveling station recited in claim 35.

Therefore, Applicant respectfully requests withdrawal of the rejections, and allowance of the claims.

IV. New Claims:

As shown in the foregoing amendments, Applicant has added new claims 42 and 43, which depend from independent claim 30. Applicant respectfully submits that new claims 42 and 43 are allowable for at least the same reasons as discussed above with respect to independent claim 30. Therefore, Applicant respectfully requests allowance of the new claims.

V. Conclusion:

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

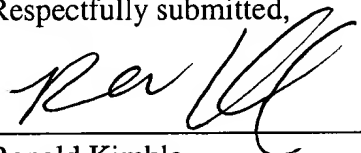
AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 09/895,195

Attorney Docket No. Q65225

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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